

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE TOWER AUTOMOTIVE ERISA  
LITIGATION

05-cv-2184 (RWS)

**NOTICE OF MOTION**

**ORAL ARGUMENT REQUESTED**

PLEASE TAKE NOTICE THAT, upon the Consolidated Class Action Complaint in this matter; the Affidavit of Robert N. Kravitz sworn to on November 18, 2005, and the exhibits attached thereto; and all other proceedings had herein, defendants Dugald Campbell, Anthony G. Fernandes, Jurgen Geissinger, Christopher Hatto, Ali Jenab, S.A. Johnson, Kathleen Ligocki, Joe Loughrey, James R. Lozelle, Georgia R. Nelson, and Scott Rued will move this Court, before the Honorable Robert W. Sweet, at the United States Courthouse located at 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, pursuant to Rules 8, 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, for an order dismissing the Consolidated Class Action Complaint with prejudice. The basis for the motion is set forth in the accompanying memorandum of law. Defendants request oral argument on the motion.

Dated: New York, New York  
November 18, 2005

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

By: /s/ Moses Silverman

Moses Silverman (MS-9996)  
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